

**MINUTES OF THE REGULAR MEETING OF THE MAYOR &
COUNCIL OF THE BOROUGH OF ROCKLEIGH, HELD ON April 4, 2016 AT BOROUGH
HALL, 26 ROCKLEIGH RD., ROCKLEIGH NJ AT 8 PM**

Mayor Robert Schaffer called the meeting to order at 8:20 p.m. and led the meeting with a flag salute.

OPENING STATEMENT:

Mayor Schaffer announced that the meeting of this date is being held in compliance with the Open Public Meetings Act of the State of New Jersey and that adequate notice of same was given in writing to *The Record*, and that notice of same was also posted on the Borough Hall bulletin board as required.

The Borough Clerk called the Roll Call of the Mayor and Council:

Present: Mayor Schaffer, Councilwoman Bresnak, Councilman Cumiskey, Councilwoman Ewald, Councilman Johnsen, Councilman Mender, and Councilman Pontone.

Also Present: Marcella Giampiccolo, Borough Clerk; Kunjesh Trivedi, CFO; Robert T. Regan, Esq., Borough Attorney; William J. McGuire, Borough Administrator; Gary Higgins, Borough Auditor; and Gregory J. Polyniak, Borough Engineer.

Mayor Schaffer announced he would move around on the order of the Meeting Agenda this evening. The first business presented was a Resolution for Maya Pontone. Mayor Schaffer read aloud the following Resolution:

**BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey**

Re: RESOLUTION COMMENDING MAYA PONTONE UPON HER RECEIPT OF THE GIRL SCOUT GOLD AWARD.

WHEREAS, the Girl Scout Gold Award represents the highest achievement in Girl Scouting and challenges young women to address a community issue or problem and to create and implement a plan intended to benefit others; and

WHEREAS, within Girl Scouts of Northern New Jersey, only twelve (12%) percent of eligible girls earn their Girl Scout Gold Award, compared to the national average of six (6%) percent; and

WHEREAS, Maya Pontone, a Borough of Rockleigh resident, is to be awarded the Girl Scout Gold Award at a ceremony to held on April 23, 2016; and

WHEREAS, for her Gold Award project Maya spread awareness about the My Heart Your Heart Organization, a nonprofit organization out of the University of Michigan that focuses on the donation of viable cardiac devices to those living in third-world countries; and

WHEREAS, Maya dedicated her project entitled "The Tinman Project" to her grandfather Dr. Robert E. Pontone in which she focused on reaching out to funeral homes, senior centers and hospitals to set up connections with the My Heart Your Heart Organization, thereby informing many of this life-saving cause; and

WHEREAS, Maya's efforts in her Girl Scout Award Project has benefitted many citizens and the public.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that it does hereby commend Maya Pontone upon her receipt of the Girl Scout Gold Award and extends its best wishes to her and in her future endeavors.

Motion offered by Councilwoman Bresnak, seconded by Councilman Mender to approve Resolution 2016-33. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

Congratulations were offered by all to Maya Pontone.

* * * * *

The Mayor announced the Second Reading and Public Hearing and Adoption of the CAP Ordinance (2016-3).

**BOROUGH OF ROCKLEIGH
BERGEN COUNTY, NEW JERSEY
CALENDAR YEAR 2016 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A-4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Rockleigh in the County of Bergen finds its advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget of said year, amount to \$22,417 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Rockleigh, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2016 budget year, the final appropriations of the Borough of Rockleigh shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$22,417, and that the 2016 municipal budget for the Borough of Rockleigh be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced by _____

Approved _____, 2016

Seconded by _____

ATTEST:

Borough Clerk

Mayor

Motion offered by Councilman Pontone, seconded by Councilwoman Ewald to open the meeting to the public to discuss the CAP Ordinance only. All Councilmembers present voted in the affirmative to open the meeting to the public. The Motion passed. No public came forward. Motion to close the meeting to the public was offered by Councilman Cumiskey, seconded by Councilman Pontone. All Councilmembers present voted in the affirmative to close the meeting. The Motion passed. Without further discussion, Motion offered by Councilman Pontone, seconded by Councilman Johnsen to approve the adoption of the CAP Ordinance (2016-3). The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Resolution 2016-29 was presented:

BOROUGH OF ROCKLEIGH
BERGEN COUNTY, NEW JERSEY
RESOLUTION

Resolution Re: Waiver of Reading in Full of the 2016 Budget

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

a) be posted in a public place where public notices are customarily posted and at the free public library, and

b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Borough of Rockleigh has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body, the reading in full of the 2016 Budget be dispensed with.

Introduced by: _____

Seconded by: _____

Approved: April 4, 2016

ATTEST:

Borough Clerk

Motion offered by Councilman Pontone, seconded by Councilwoman Bresnak to approve Resolution 2016-29; Waiver of the Reading in Full of the 2016 Budget. The Roll Call vote was recorded as follows:

AYES: Bresnak, Ewald, Cumiskey, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Resolution 2016-30 was presented for consideration.

**BOROUGH OF ROCKLEIGH
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 2016-30**

Resolution Re: Self Examination of Budget Resolution

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Rockleigh has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2016 budget year.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Rockleigh that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget.
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated;
 - b. Items of appropriations are properly set forth

- c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Introduced by _____

Seconded by _____

Approved: April 4, 2016

ATTEST

Borough Clerk

Mayor

Motion offered by Councilman Johnsen, seconded by Councilman Mender to approve Resolution 2016-30 regarding self-examination of Budget. The Roll Call vote was recorded as follows:
 AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone
 NAYES: None
 ABSENT: None
 ABSTAIN: None
 The Motion passed.

* * * * *

The Mayor announced the meeting would be opened to the public for the public hearing portion of the 2016 Municipal Budget. Motion offered by Councilman Cumiskey, seconded by Councilman Pontone to open the meeting to the public as to the 2016 Municipal Budget only. All Councilmembers present voted in the affirmative. The Motion passed. No public came forward to address the 2016 Municipal Budget. Motion offered by Councilman Pontone, seconded by Councilman Cumiskey to close the meeting to the public. All Councilmembers present voted in the affirmative. The Motion passed. At this time, without further discussion, a Motion was offered by Councilman Mender, seconded by Councilman Pontone, to adopt the 2016 Municipal Budget. The Roll Call vote was recorded as follows
 AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone
 NAYS: None
 ABSENT: None
 ABSTAIN: None
 The Motion passed.

Mr. Higgins led the discussion regarding the 2015 Municipal Audit report. He highlighted several pages and commented that the audit report was consistent with the prior year. Mr. Higgins suggested to the Governing Body that the monies held in grant reserves as identified on page 41 of the report be expended soon, within the guidelines of the grant initially issued. In addition, Mr. Higgins suggested the Borough continue their practice of returning the unused escrow monies for completed projects to applicants. In addition, Mr. Higgins highlighted the general capital fund on page 15. The last payment of the Green Trust Loan will be made in 2016. Last, Mr. Higgins suggested a Resolution be adopted at the next meeting that will clean up a few authorized debit/credits on the books.

The following resolution was presented for approval and the Group Affidavit was circulated to the Governing Body for signatures:

BOROUGH OF ROCKLEIGH, BERGEN COUNTY, NEW JERSEY
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, and in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Rockleigh, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified

copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion offered by Councilman Johnsen, seconded by Councilman Pontone to approve the Annual Audit for 2015. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Mr. Higgins is thanked for his services and exited the meeting at 8:45 p.m.

At this time, Mayor Schaffer announced it would be necessary to enter into Closed Session. Mr. Regan read the following resolution into the record:

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss Declaratory Judgment Action-Affordable Housing and Contract for Solid Waste services.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that at 8:47 p.m. on Monday, April 4, 2016 the Governing Body determined to exclude members of the public to discuss the aforesaid items; and

BE IT FURTHER RESOLVED that the proceedings relative to the Closed Session may be made public as such time as the Governing Body determines the Borough's interests may not be adversely affected.

Motion offered by Councilman Cumiskey, seconded by Councilman Pontone to approve the need for Closed Session. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Mr. Regan stated that upon returning to the Regular Session of the meeting, official action may be taken.

Upon returning to the Regular Session of the meeting, Mayor Schaffer asked the Borough Engineer, Gregory Polyniak, to address the Revised Housing Element and Fair Share Plan Dated March 16, 2016 as adopted by the Rockleigh Planning Board on March 31, 2016. Mr. Polyniak briefly summarized the history of the housing element and fair share plan time table. Mr. Polyniak stated the Plan before the Governing Body is the Plan submitted to the Special Court appointed Master for review and approval. Mr. Polyniak summarized the Plan for the Governing Body and identified various topics listed on pages within the report. Mr. Polyniak concluded his testimony as to the Housing Element and Fair Share Plan and Mr. Regan read aloud the following resolution for approval:

BOROUGH OF ROCKLEIGH
County of Bergen
State of New Jersey

Re: RESOLUTION (2016-36) ENDORSING THE REVISED HOUSING ELEMENT AND FAIR SHARE PLAN DATED MARCH 16, 2016 AS ADOPTED BY THE ROCKLEIGH PLANNING BOARD.

WHEREAS, the Planning Board of the Borough of Rockleigh adopted the Housing Element and Fair Share Plan ("the Housing Element") of the Master Plan by resolution dated May 18, 2015; and

WHEREAS, by resolution dated June 1, 2015, the Mayor and Council endorsed the Housing Element; and

WHEREAS, the Special Master appointed by the Superior Court of New Jersey in the Borough's application for Substantive Certification entitled, "In the Matter of the Application of the Borough of Rockleigh", Docket No. BER-L-5761-15 has submitted a report which provided certain modifications to the Housing Element; and

WHEREAS, a revised Housing Element and Fair Share Plan dated March 16, 2016 was adopted by the Planning Board by resolution dated March 31, 2016; and

WHEREAS, a true copy of the resolution of the Planning Board adopting the revised Housing Element is attached hereto pursuant to *N.J.A.C. 5:96-2.2(a)2*.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh that it does hereby endorse the revised Housing Element as adopted by the Borough of Rockleigh Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Rockleigh hereby requests Substantive Certification of the revised Housing Element dated March 16, 2016

from the Superior Court of New Jersey pursuant to the decision in *In Re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council On Affordable Housing*, 221 N.J. 1 (2015); and; and

BE IT FURTHER RESOLVED that a copy of this resolution, the adopted revised Housing Element, and all supporting information shall be available for inspection at the Municipal Clerk's Office at the Rockleigh Borough Hall, 26 Rockleigh Road, Rockleigh, New Jersey during normal business hours.

With no further questions for Mr. Regan and/or Mr. Polyniak, a Motion was offered by Councilman Pontone, seconded by Councilwoman Bresnak to approve Resolution 2016-36 as stated. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Mayor Schaffer presented the plans prepared by Neglia Engineering Associates for the Rockleigh Road Modification project. The Mayor commented that the Borough received \$149,000.00 for this project from the State. Mr. Polyniak reviewed and clarified the meanings of the lines located on the plans along with the definitions of the legends. Following Mr. Polyniak's summary of the plans, various solutions to strengthen the safety of the "s" curve area. Various options were discussed among the Council including the widening of the roadway, installation of the road hump (either portable or asphalt) installation of traffic signs, solar power signs, and raising the existing catch basin so as not to be a large dip on the side of the road that is causing drivers to stay in the middle of the road and the use of black color friction traffic grip. Mr. Polyniak commented that installing a walkway was not a viable option due to space constraints and costs involved. However, striping of the edge of the roadway could be accomplished in that area to better show the road width. The Mayor inquired if any options presented an issue due to the road being an interstate road. Mr. Polyniak confirmed notifying the adjoining municipality is all that is required by Rockleigh.

Mr. Polyniak was asked to provide the Council with figures for the options discussed for the June Mayor and Council meeting. At the conclusion of that discussion, it was the consensus of the council to create the least impact to neighbors with the most road opening.

The tree trimming proposal for the Borough Hall property was discussed next. Mr. McGuire explained the proposal from O'Sullivan Tree Services which amounted to \$2,300.00. Motion offered by Councilman Johnsen, seconded by Councilman Mender to accept the proposal by O'Sullivan Tree Services for services in the amount of \$2,300.00. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

Resolution 2016-32 was presented for consideration.

**BOROUGH OF ROCKLEIGH
BERGEN COUNTY
STATE OF NEW JERSEY**

Re: Approve the Tonnage Grant Report and Application for 2016

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such tonnage grants (for calendar year 2015) will memorialize the commitment of the municipality to recycling and to indicate the assent of the Rockleigh Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rockleigh hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William J. McGuire, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Motion offered by Councilman Pontone, seconded by Councilman Cumiskey to approve Resolution 2016-32. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

Resolution 2016-34 was presented for consideration.

**BOROUGH OF ROCKLEIGH
COUNTY OF BERGEN
STATE OF NEW JERSEY**

RESOLUTION 2016-34

RE: SUPPORT TO DENY PAROLE FOR CHRISTOPHER RIGHETTI

WHEREAS, on August 3, 1976, Kim Montelaro, a resident of New Milford, Bergen County, then 20 years old, was forcibly abducted, brutally assaulted and murdered by repeat offender, Christopher Righetti; and

WHEREAS, Christopher Righetti, Prisoner #59431, is currently incarcerated for the killing of Kim Montelaro; and

WHEREAS, Christopher Righetti has gone many times before the Parole Board of Northern State Prison. His release was denied each time, as the parole board found that Christopher Righetti was unwilling to take responsibility for abducting, assaulting and murdering Kim Montelaro; and

WHEREAS, Kim's family should not be made to relive this horrible crime every few years when there is a parole hearing. They are forced to travel long distances from their current residence in Florida each time there is a parole hearing for their daughter's killer. They continue to suffer unnecessarily on Christopher Righetti's account; and

WHEREAS, in addition to the efforts of the Montelaro Family, the Borough of Rockleigh, hereby supports the position that Christopher Righetti should not be granted parole and should serve out the full remainder of this life sentence. If a future eligibility date is set, we urge the Board to select a date at least 35 years from now. The abduction, rape and murder of an innocent young woman is a serious crime that demands justice; and the family of Kim Montelaro should be given the peace of mind of knowing that their daughter's murderer will remain behind bars for the rest of this life, as ordered by the court.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Rockleigh hereby abides by the conclusion that Christopher Righetti be denied parole and be made to serve out his life sentence, otherwise this creates a grave injustice to the family of Kim Montelaro as well as to society.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Bergen County Police Chiefs Association, the New Jersey PBA, the Office of the Bergen County Prosecutor, Keep NJ Safe, and to Chairman James T. Plousis of the New Jersey State Parole Board.

Motion offered by Councilman Pontone, seconded by Councilwoman Bresnak to approve Resolution 2016-34. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSTAIN: None

ABSENT: None

The Motion passed.

* * * * *

Discussion moved to the proposed resolution regarding the NJ Pension Plans. The following resolution (2016-35) was presented for approval:

**BOROUGH OF ROCKLEIGH
COUNTY OF BERGEN
STATE OF NEW JERSEY**

RESOLUTION 2016-35

WHEREAS, the Governor created the New Jersey Pension and Health Benefits Study Commission which released a report dated February 24, 2015; and

WHEREAS, this report recommends merging all nine (9) public employee pension funds in the State of new Jersey into one plan that would be merged into a new defined contribution plan (also known as a 457 plan); and

WHEREAS, local governments would have to pay an additional four (4) percent for each employee in the proposed new plan as well as fund a new pension liability for the two (2) local pension plans PERS and PFRS that would be frozen while current retirees receive their benefit; and

WHEREAS, the report also recommends that the State of New Jersey transfer the responsibility for teacher pension payments to the local school districts; and

WHEREAS, the report further recommends that the school districts absorb and make payment on an as yet undetermined portion of the over \$80,000,000 unfunded liability for the teachers' pension plan; and

WHEREAS, if these two (2) recommendations related to the Teacher's Pension Plan are enacted, it will mean an immediate property tax increase to cover these costs which are currently paid for the by State or are future funding obligations of the State; and

WHEREAS, of the nine (9) public employee pension plans in the State of New Jersey, the seven (7) established for State employees will become insolvent within six (6) to seventeen (17) years; and

WHEREAS, there are two (2) pension plans that support local government employees, local PERS for municipal employees is solvent into perpetuity at current funding levels, local PFRS for police officers and firefighters is fully funding for the next forty (40) years at current funding levels; and

WHEREAS, the New Jersey State League of Municipalities, the New Jersey Municipal Management Association (NJMMA), and the Government Finance Officers Association (GFOA) are in agreement that the two (2) solvent local government pension plans should not be merged with the seven (7) State pension plans that are on the road to insolvency.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Rockleigh opposes the findings outlined in the Roadmap to Resolution Report dated February 24, 2015;

BE IT FURTHER RESOLVED that the Governing Body of the Borough of Rockleigh urges all municipalities and school districts in the State of New Jersey to review the cost allocation estimates of pension liability for each one percent of payroll contribution report which was prepared by Professor Raphael J. Caprio, Ph.D. dated July, 2015 published by the Bloustein Local Government Research Center which can be found at the following link: <http://tinyurl.com/paxvntv>.

BE IT ALSO RESOLVED, that a copy of this resolution be sent to the Governor, all state legislators, all municipalities in Bergen County, the League of Municipalities and Pascack Valley Mayor's Association.

Motion offered by Councilman Cumiskey, seconded by Councilwoman Ewald to approve Resolution 2016-35. The Roll Call vote was recorded as follows:

AYES: Bresnak, Cumiskey, Ewald, Johnsen, Mender, Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

* * * * *

At this time the Borough Clerk handed out the Local Finance Notice 2016-08 along with instructions for filing the 2016 Financial Disclosure Forms. It was noted that the filing deadline is April 30, 2016.

The Municipal Court fines were briefly discussed and Police Reports were acknowledged.

FINANCIAL BUSINESS/PAYMENT OF CLAIMS:

The April 4, 2016 Bill List was presented for discussion. Brief discussion took place regarding entries on the Bill List, which the Clerk and CFO answered. Following that discussion, a Motion was offered by Councilwoman Ewald, seconded by Councilman Pontone to approve the Bill List dated April 4, 2016, noting the total claims and accounts amounting to \$63,592.14 is paid, and that checks be issued therefore, in accordance with established procedure, upon confirmation from the Borough Treasurer/CFO that sufficient monies are available to pay said obligations. No further discussion took place. The Roll Call vote was recorded as follows:

AYES: Bresnak, Ewald, Cumiskey, Johnsen, Mender Pontone

NAYS: None

ABSENT: None

ABSTAIN: None

The Motion passed.

At this time the Mayor called for a Motion to open the meeting to the public. Motion offered by Councilman Pontone, seconded by Councilman Cumiskey to open the meeting to the public. All Councilmembers present voted in the affirmative. The Motion passed. Claire Feulner, 9 Rockleigh Road, came forward to pose a suggestion to the Council to have the police do more routine speed checks along Rockleigh Road. The Mayor commented that the Police can be asked to set up radar along Rockleigh Road. In addition, she suggested that the bushes along Rockleigh Road near the "s" curve could be trimmed back to provide better visual of the road.

Katie Jacobson, 49 Piermont Road, came forward to state she would like to donate trees and landscaping to the Borough in the area surrounding her property. Ms. Jacobsen visually demonstrated for the Council where plantings could go (Piermont Road/King Road area). At the conclusion of that discussion, the Mayor asked for a copy of her proposed landscape plan for the Council to review in advance of any plantings. Mr. Regan stated that a resolution would be needed and an approval of her landscape plan prior to any donation of plantings.

At this time a Motion was offered by Councilman Pontone, seconded by Councilman Cumiskey to close the meeting to the public. All Councilmembers present voted in the affirmative and the meeting was closed. The Motion passed.

MINUTE APPROVAL:

Minutes from the March 7, 2016 Regular Meeting were presented for approval. A Motion was offered by Councilwoman Ewald, seconded by Councilman Pontone to accept the March 7, 2016 Minutes as presented. All Councilmembers present voted in the affirmative, except Councilman Johnsen, who abstained from the vote, to accept the Minutes as presented. The Motion passed.

Minutes from the March 7, 2016 Executive Meeting were presented for approval. A Motion was offered by Councilman Cumiskey, seconded by Councilman Pontone to accept the Executive Session minutes as presented. All Councilmembers present voted in the affirmative, except Councilman Johnsen, who abstained from the vote, to accept the Minutes as presented. The Motion passed.

As no further business came before the Governing Body, a Motion was offered by Councilman Cumiskey, seconded by Councilman Pontone to adjourn the meeting. All Councilmembers present voted in the affirmative and the meeting was adjourned. The Motion passed.

Respectfully submitted,



Marcella Giampiccolo, RMC
Borough Clerk

